

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

IN RE: SOCIAL MEDIA ADOLESCENT
ADDICTION/PERSONAL INJURY
PRODUCTS LIABILITY LITIGATION

Case No. 4:22-MD-03047-YGR
MDL No. 3047

This Document Relates to:

MASTER SHORT-FORM COMPLAINT AND DEMAND FOR JURY TRIAL

Member Case No.:

The Plaintiff(s) named below file(s) this *Short-Form Complaint and Demand for Jury Trial* against the Defendants named below by and through the undersigned counsel. Plaintiff(s) incorporate(s) by reference the allegations, claims, and relief sought in *Plaintiffs' Master Complaint (Personal Injury)* ("Master Complaint") as it relates to the named Defendants (checked-off below), filed in *In Re: Social Media Adolescent Addiction/Personal Injury Products Liability Litigation*, MDL No. 3047 in the United States District Court for the Northern District of California. Plaintiff(s) file(s) this *Short-Form Complaint* as permitted by Case Management Order No. 7.

As necessary herein, Plaintiff(s) may include: (a) additional Causes of Action and supporting allegations against Defendants, as set forth in paragraph 11 in additional sheets attached hereto; and/or (b) additional claims and allegations against other Defendants not listed in the *Master Complaint*, as set forth in paragraph 7 (see n. 18) and may attach additional sheets hereto.

Plaintiff(s) indicate by checking boxes below the Parties and Causes of Actions specific to Plaintiff(s)' case.

Plaintiff(s), by and through their undersigned counsel, allege as follows:

1 **I. DESIGNATED FORUM**

2 1. *For Direct Filed Cases:* Identify the Federal District Court in which the Plaintiff(s)
3 would have filed in the absence of direct filing:
4

5 2. *For Transferred Cases:* Identify the Federal District Court in which the Plaintiff(s)
6 originally filed and the date of filing:
7

8 **II. IDENTIFICATION OF PARTIES**

9 **A. PLAINTIFF**

10 3. *Plaintiff:* Name of the individual injured due to use of Defendant(s)' social media
11 products:
12

13 4. Age at time of filing: _____

14 5. City(ies) and state(s) where Plaintiff primarily used Defendants' platforms:
15

16 6. Last Name and State of Residence of *Guardian Ad Litem*, if applicable:
17

18 7. Name of the individual(s) that allege damages for loss of society or consortium
19 (*Consortium Plaintiff(s)*) and their relationship to Plaintiff, if applicable:
20

21 8. *Survival and/or Wrongful Death Claims, if applicable:*

22 (a) Name of decedent and state of residence at time of death:
23

24 (b) Date of decedent's death:
25

26 (c) Name and capacity (*i.e.* executor, administrator, etc.) of Plaintiff(s)
27 bringing claim for decedent's wrongful death:
28

1 9. At the time of the filing of this *Short-Form Complaint*, Plaintiff(s) are residents and
 2 citizens of [*Indicate State*]:
 3 _____

4 **B. DEFENDANT(S)**

5 10. Plaintiff(s) name(s) the following Defendants in this action [*Check all that apply*]:

6 **META ENTITIES**

7 META PLATFORMS, INC.,
 8 *formerly known as Facebook, Inc.*
 9 INSTAGRAM, LLC
 10 FACEBOOK PAYMENTS, INC.
 11 SICULUS, INC.
 12 FACEBOOK OPERATIONS, LLC

6 **TIKTOK ENTITIES**

7 BYTEDANCE, LTD
 8 BYTEDANCE, INC
 9 TIKTOK, LTD.
 10 TIKTOK, LLC.
 11 TIKTOK, INC.

13 **SNAP ENTITY**

14 SNAP INC.

13 **GOOGLE ENTITIES**

14 GOOGLE LLC
 15 YOUTUBE, LLC

16 **OTHER DEFENDANTS**

17 For each “Other Defendant” Plaintiff(s) contend(s) are additional parties and are liable
 18 or responsible for Plaintiff(s) damages alleged herein, Plaintiffs must identify by name
 19 each Defendant and its citizenship, and Plaintiff(s) must plead the specific facts
 20 supporting any claim against each “Other Defendant” in a manner complying with the
 21 requirements of the Federal Rules of Civil Procedure. In doing so, Plaintiff(s) may
 22 attach additional pages to this *Short-Form Complaint*.

	NAME	CITIZENSHIP
1		
2		
3		
4		
5		

1 **C. PRODUCT USE**

2 11. Plaintiff used the following Social Media Products that substantially contributed to their
3 injury/ies (check all that apply, and identify approximate dates of use, to the best of
 Plaintiff's recollection):

4 FACEBOOK

5 Approximate dates of use: _____ to _____

6 INSTAGRAM

7 Approximate dates of use: _____ to _____

8 SNAPCHAT

9 Approximate dates of use: _____ to _____

10 TIKTOK

11 Approximate dates of use: _____ to _____

12 YOUTUBE

13 Approximate dates of use: _____ to _____

14 OTHER:

Social Media Product(s) Used	Approximate Dates of Use

1 **D. PERSONAL INJURY¹**

2 12. Plaintiff(s) experienced the following personal injury/ies alleged to have been
3 caused by Defendant(s)' Social Media Products [*Check all that apply*]:

4 **ADDICTION/COMPULSIVE USE**

5 **EATING DISORDER**

6 Anorexia

7 Bulimia

8 Binge Eating

9 Other: _____

10 **DEPRESSION**

11 **ANXIETY**

12 **SELF-HARM**

13 Suicidality

14 Attempted Suicide

15 Death by Suicide

16 Other Self-Harm: _____

17 **CHILD SEX ABUSE**

18 **CSAM VIOLATIONS**

19 **OTHER PHYSICAL INJURIES (SPECIFY):**

20 _____
21 _____
22 _____
23 _____
24 _____

25 ¹ Plaintiff(s) must check-off all injuries allegedly caused by Plaintiff's use of Defendant(s)' Social
26 Media Products. Plaintiff is not required to plead here emotional or psychological injuries inherent
27 in injuries otherwise identified, or all manifestations of the injury alleged which will be inquired
28 into as part of the Plaintiff's Fact Sheet ("PFS"). This *Short-Form Complaint* assumes that
 emotional and psychological injuries are asserted by Plaintiff in connection with any injury
 otherwise identified.

V. CAUSES OF ACTION ASSERTED

13. The following Causes of Action asserted in the *Master Complaint*, and the allegations with regard thereto, are adopted in this *Short Form Complaint* by reference (check all that are adopted):

Asserted Against ²	Count Number	Cause of Action (CoA)
<input type="checkbox"/> Meta entities <input type="checkbox"/> Snap entity <input type="checkbox"/> TikTok entities <input type="checkbox"/> Google entities <input type="checkbox"/> Other Defendant(s) ## _____ ³	1	STRICT LIABILITY - DESIGN DEFECT
<input type="checkbox"/> Meta entities <input type="checkbox"/> Snap entity <input type="checkbox"/> TikTok entities <input type="checkbox"/> Google entities <input type="checkbox"/> Other Defendant(s) ## _____	2	STRICT LIABILITY - FAILURE TO WARN
<input type="checkbox"/> Meta entities <input type="checkbox"/> Snap entity <input type="checkbox"/> TikTok entities <input type="checkbox"/> Google entities <input type="checkbox"/> Other Defendant(s) ## _____	3	NEGLIGENCE - DESIGN
<input type="checkbox"/> Meta entities <input type="checkbox"/> Snap entity <input type="checkbox"/> TikTok entities <input type="checkbox"/> Google entities <input type="checkbox"/> Other Defendant(s) ## _____	4	NEGLIGENCE – FAILURE TO WARN
<input type="checkbox"/> Meta entities <input type="checkbox"/> Snap entity <input type="checkbox"/> TikTok entities <input type="checkbox"/> Google entities <input type="checkbox"/> Other Defendant(s) ## _____	5	NEGLIGENCE

² For purposes of this paragraph, “entity” means those defendants identified in Paragraph 7 (e.g., “TikTok entities” means all TikTok defendants against which Plaintiff(s) is asserting claims).

³ Reference selected Other Defendants by the corresponding row number in the “Other Defendant(s)” chart above, in Question 7.

1	<input type="checkbox"/> Meta entities <input type="checkbox"/> Snap entity <input type="checkbox"/> TikTok entities <input type="checkbox"/> Google entities <input type="checkbox"/> Other Defendant(s) ##	6	NEGLIGENT UNDERTAKING
2			
3			
4			
5	<input type="checkbox"/> Meta entities <input type="checkbox"/> Snap entity <input type="checkbox"/> TikTok entities <input type="checkbox"/> Google entities <input type="checkbox"/> Other Defendant(s) ##	7	VIOLATION OF UNFAIR TRADE PRACTICES/ CONSUMER PROTECTION LAWS <i>Identify Applicable State Statute(s):</i> _____
6			
7			
8			
9	<input type="checkbox"/> Meta entities <input type="checkbox"/> Other Defendant(s) ##	8	FRAUDULENT CONCEALMENT AND MISREPRESENTATION (Against Meta only)
10			
11			
12			
13	<input type="checkbox"/> Meta entities <input type="checkbox"/> Snap entity <input type="checkbox"/> TikTok entities <input type="checkbox"/> Google entities <input type="checkbox"/> Other Defendant(s) ##	9	NEGLIGENT CONCEALMENT AND MISREPRESENTATION (Against Meta only)
14			
15			
16			
17	<input type="checkbox"/> Meta entities <input type="checkbox"/> Snap entity <input type="checkbox"/> TikTok entities <input type="checkbox"/> Google entities <input type="checkbox"/> Other Defendant(s) ##	10	NEGLIGENCE <i>PER SE</i>
18			
19			
20			
21			
22			
23	<input type="checkbox"/> Meta entities <input type="checkbox"/> Snap entity <input type="checkbox"/> TikTok entities <input type="checkbox"/> Google entities <input type="checkbox"/> Other Defendant(s) ##	11	VIOLATIONS OF 18 U.S.C. §§ 1595 and 1591 (Civil Remedy for Sex trafficking of children or by force, fraud, or coercion)
24			
25			
26			
27			
28			

1	<input type="checkbox"/> Meta entities <input type="checkbox"/> Snap entity <input type="checkbox"/> TikTok entities <input type="checkbox"/> Google entities <input type="checkbox"/> Other Defendant(s) ##	14	VIOLATIONS OF 18 U.S.C. §§ 2255 and 2252A(5)(b) (Civil remedy for Certain activities relating to material constituting or containing child pornography)
2			
3			
4			
5	<input type="checkbox"/> Meta entities <input type="checkbox"/> Snap entity <input type="checkbox"/> TikTok entities <input type="checkbox"/> Google entities <input type="checkbox"/> Other Defendant(s) ##	15	VIOLATIONS OF 18 U.S.C. §§ 2258B and 2258A (Liability related to Reporting requirements of providers regarding online child sexual exploitation)
6			
7			
8			
9	<input type="checkbox"/> Meta entities <input type="checkbox"/> Snap entity <input type="checkbox"/> TikTok entities <input type="checkbox"/> Google entities <input type="checkbox"/> Other Defendant(s) ##	16	WRONGFUL DEATH
10			
11			
12			
13	<input type="checkbox"/> Meta entities <input type="checkbox"/> Snap entity <input type="checkbox"/> TikTok entities <input type="checkbox"/> Google entities <input type="checkbox"/> Other Defendant(s) ##	17	SURVIVAL ACTION
14			
15			
16	<input type="checkbox"/> Meta entities <input type="checkbox"/> Snap entity <input type="checkbox"/> TikTok entities <input type="checkbox"/> Google entities <input type="checkbox"/> Other Defendant(s) ##	18	LOSS OF CONSORTIUM AND SOCIETY
17			
18			
19			

VI. ADDITIONAL CAUSES OF ACTION

NOTE

If Plaintiff(s) wants to allege additional Cause(s) of Action other than those selected in paragraph 10, which are the Causes(s) of Action set forth in the *Master Complaint*, the facts supporting those additional Cause(s) of Action, must be pled in a manner complying with the requirements of the Federal Rules of Civil Procedure. In doing so, Plaintiff(s) may attach additional pages to this *Short-Form Complaint*.

1 14. Plaintiff(s) assert(s) the following additional Causes of Action and supporting
2 allegations against the following Defendants:
3
4
5
6
7
8

9 **WHEREFORE**, Plaintiff(s) pray(s) for relief and judgment against Defendants and all such
10 further relief that this Court deems equitable and just as set forth in the *Master Complaint*, and any
11 additional relief to which Plaintiff(s) may be entitled.

12 **JURY DEMAND**

13 Plaintiff(s) hereby demand a trial by jury as to all claims in this action.
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

1 By signature below, Plaintiff's counsel hereby confirms their submission to the authority
2 and jurisdiction of the United States District Court for the Northern District of California for
3 oversight of counsel's duties under Federal Rule of Civil Procedure 11, including enforcement as
4 necessary through sanctions and/or revocation of *pro hac vice* status.

5

6

/s/ Laura Marquez-Garrett

7

8

9

10

11

SOCIAL MEDIA VICTIMS LAW CENTER
Laura Marquez-Garrett (SBN 221542)
laura@socialmediavictims.org
Glenn S. Draper
glenn@socialmediavictims.org
520 Pike Street, Suite 1125
Seattle, WA 98101
Ph: 206-741-4862

12

13

14

15

16

17

SEEGER WEISS LLP
Christopher A. Seeger
cseeger@seegerweiss.com
Christopher Ayers
cayers@seegerweiss.com
Jennifer Scullion
jscullion@seegerweiss.com
55 Challenger Road
Ridgefield Park, NJ 07660
Ph: 973-639-9100
Facsimile: 973-679-8656

18

19

20

21

Robert H. Klonoff
klonoff@usa.net
2425 S.W. 76th Avenue
Portland, OR 97225
Ph: (503) 702-0218

22

23

24

25

26

27

28

Attorneys for Plaintiff(s)